

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN R. LAIRD,

Defendant.

No. 06-CR-30138

ORDER

HERNDON, Chief Judge:

Before the Court is a motion to continue trial submitted by Defendant John R. Laird. (Doc. 324.) The motion is unopposed. The Court finds that the trial should be postponed because the Defendant and the Government are involved in ongoing discussions concerning a possible plea agreement. In addition, Defendant's counsel requires more time to prepare for trial, if an agreement is not reached. The Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such a continuance outweigh the interests of the public and the moving Defendants in a speedy trial because failure to grant a continuance would unreasonably interfere with the current plea negotiations, which if successful would serve all parties' interest in a just and efficient outcome. Clearly, to go forward now would visit a manifest miscarriage of justice upon all concerned. Furthermore, the Court finds pursuant to **18 U.S.C. § 3161(h)(7)** that since no motion to sever has

been filed, the trial should be continued for the other co-defendants scheduled for trial that day, October 22, 2007: Joshua J. Jarvis, Kevin M. Kunze, Tina M. Peterson (collectively referred to herein as "Co-Defendants"). A single trial is favored to preserve the resources of the Court and to promote efficiencies. Therefore, the Court **GRANTS** Defendant Laird's motions to continue (Doc. 324) and continues the trial scheduled for October 22, 2007 for Defendant Laird and the remaining Co-Defendants until February 11, 2008 at 9:00 a.m. The time from the date Defendant Laird's motion was raised, October 2, 2007, until the date on which the trial is rescheduled, February 11, 2008, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 3rd day of October, 2007.

/s/ David R Herndon
Chief Judge
United States District Court